

ब्साधारण

EXTRAORDINARY

भाग II—सग्ड 2 PART II—Section 2

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इस भाग में भिन्न पृष्ठ संख्या दी जाती है जिससे कि यह अलुग संकलन के रूप में रखा जा सके ।

Separate paging is given to this Part in order that it may be filed as a separate compilation

RAJYA SABHA

The following Bill was introduced in the Rajya Sabha on the 11th August, 1982:—

BILL No. XXV of 1982

A Bill further to amend the Banaras Hindu University Act, 1915, the Aligarh Muslim University Act, 1920, the Delhi University Act, 1922, the Visva-Bharati Act, 1951, the Jawaharlal Nehru University Act, 1966, the North-Eastern Hill University Act, 1973 and the University of Hyderabad Act, 1974.

Br it enacted by Parliament in the Thirty-third Year of the Republic of India as follows:—

CHAPTER I

PRELIMINARY

1. (1) This Act may be called the Central Universities (Amendment) Act, 1982.

Short title and commence-

(2) It shall come into force on such date as the Central Government, ment. may, by notification in the Official Gazette, appoint.

CHAPTER II

AMENDMENTS TO THE BYNARAS HINDU UNIVERSITY ACT, 1915

Amendment of section 13.

2. In the Banaras Hindu University Act, 1915 (hereafter referred to in this Chapter as the Banaras Hindu University Act), in section 13, after sub-section (2), the following sub-section shall be inserted, namely:—

16 of 1915.

"(3) A copy of the accounts, together with the auditor's reports, shall also be submitted to the Central Government which shall, as soon as may be, cause the same to be laid before both Houses of Parliament.".

Insertion of new section 13A.

3. In the Banaras Hindu University Act, after section 13, the following section shall be inserted, namely:—

Annual Report.

- "13A. (1) The Annual Report of the University shall be prepared under the direction of the Executive Council and shall be submitted to the Court on or before such date as may be prescribed by the Statutes and shall be considered by the Court in its annual meeting.
- (2) The Court may communicate its comments thereon to the Executive Council.
- (3) A copy of the Annual Report, as prepared under sub-section (1), shall also be submitted to the Central Government, which shall, as soon as may be, cause the same to be laid before both Houses of Parliament.".

Insertion
of new
section
19A.

4. In the Banaras Hindu University Act, section 19A shall be renumbered as section 19B and before that section as so renumbered, the following section shall be inserted, namely:—

Statutes, Ordinances ∎nd Regulation_s to be published in the Official Gazette and to be laid before Parliament.

- "19A. (1) Every Statute, Ordinance or Regulation made under this Act shall be published in the Official Gazette.
- (2) Every Statute, Ordinance or Regulation made under this Act shall be laid, as soon as may be after it is made, before each House of Parliament, while it is in session, for a total period of thirty days which may be comprised in one session or in two or more successive sessions, and if, before the expiry of the session immediately following the session or the successive sessions aforesaid, both Houses agree in making any modification in the Statute, Ordinance or Regulation or both Houses agree that the Statute, Ordinance or Regulation should not be made, the Statute, Ordinance or Regulation shall thereafter have effect only in such modified form or be of no effect, as the case may be; so, however, that any such modification or annulment shall be without prejudice to the validity of anything previously done under that Statute, Ordinance or Regulation.".

CHAPTER III

AMENDMENT TO THE ALIGARII MUSLIM UNIVERSITY ACT, 1920

40 of 1920.

5. In the Aligarh Muslim University Act, 1920, after section 31, the following section shall be inserted, namely:—

Insertion of new section 31A.

"31A. (1) Every Statute, Ordinance or Regulation made under this Act shall be published in the Official Gazette.

Ordi-

(2) Every Statute, Ordinance or Regulation made under this Act shall be laid, as soon as may be after it is made, before each House of Parliament, while it is in session, for a total period of thirty days which may be comprised in one session or in two or more successive sessions, and if, before the expiry of the session immediately following the session or the successive sessions aforesaid, both Houses agree in making any modification in the Statute. Ordinance or Regulation or both Houses agree that the Statute, Ordinance or Regulation should not be made, the Statute, Ordinance or Regulation shall thereafter have effect only in such modified form or be of no effect, as the case may be; so, however, that any such modification or annulment shall be without prejudice to the validity of anything previously done under that Statute, Ordinance or Regulation.".

Statutes. nances and Regulations to be published in the Official Gazette and to be laid before Parliament.

CHAPTER IV

AMENDMENTS TO THE DELHI UNIVERSITY ACT. 1982

8 of 1922.

6. In the Delhi University Act, 1922 (hereafter referred to in this Chapter as the Delhi University Act), after section 32, the following section shall be inserted, namely:—

Insertion of new section 32A.

Statutes,

Ordi-

- "32A. (1) Every Statute, Ordinance or Regulation made under this Act shall be published in the Official Gazette.
 - nances and Regulations to be published in the Official Gazette and to be laid before Parliament.
- (2) Every Statute, Ordinance or Regulation made under this Act shall be laid, as soon as may be after it is made, before each House of Parliament, while it is in session, for a total period of thirty days which may be comprised in one session or in two or more successive sessions, and if, before the expiry of the session immediately following the session or the successive sessions aforesaid, both Houses agree in making any modification in the Statute, Ordinance or Regulation or both Houses agree that the Statute, Ordinance or Regulation shou'd not be made, the Statute, Ordinance or Regulation shall thereafter have effect only in such modified form or be of no effect, as the case may be; so, however, that any such modification or annulment shall be without prejudice to the validity of anything previously done under that Statute, Ordinance or Regulation.".
 - Amendment of section 38.
- 7. In the Delhi University Act, section 38 shall be renumbered as subsection (1) of that section and after sub-section (1) as so renumbered, the following sub-section shall be inserted, namely:---
 - "(2) A copy of the annual report, as prepared under sub-section (1), shall also be submitted to the Central Government, which

shall, as soon as may be, cause the same to be laid before both Houses of Parliament.".

Amendment of section 39.

- 8. In the Delhi University Act, in section 39, after sub-section (2), the following sub-section shall be inserted, namely:—
 - "(3) A copy of the accounts, together with the audit report, shall also be submitted to the Central Government, which shall, as soon as may be, cause the same to be laid before both Houses of Parliament.".

CHAPTER V

AMENDMENT TO THE VISVA-BHARATI ACT, 1951

Insertion of new section 31A.

9. In the Visva-Bharati Act, 1951, after section 31, the following section shall be inserted, namely:-

- Statutes, Ordinances and Regulations to
- be published in the Official Gazette and to be laid before Parliament.
- "31A. (1) Every Statute, Ordinance or Regulation made under this Act shall be published in the Official Gazette.
- (2) Every Statute, Ordinance or Regulation made under this Act shall be laid, as soon as may be after it is made, before each House of Parliament, while it is in session, for a total period of thirty days which may be comprised in one session or in two or more successive sessions, and if, before the expiry of the session immediately following the session or the successive sessions aforesaid, both Houses agree in making any modification in the Statute, Ordinance or Regulation or both Houses agree that the Statute, Ordinance or Regulation should not be made, the Statute, Ordinance or Regulation shall thereafter have effect only in such modified form or be of no effect, as the case may be; so, however, that any such modification or annulment shall be without prejudice to the validity of anything previously done under that Statute, Ordinance or Regulation.".

CHAPTER VI

AMENDMENTS TO THE JAWAHARLAL NEHRU UNIVERSITY ACT, 1966

Insertion of new section 18A.

10. In the Jawaharlal Nehru University Act, 1966 (hereafter referred to in this Chapter as the Jawaharlal Nehru University Act), after section 18, the following section shall be inserted, namely:—

53 of 1966.

29 of 1951,

- "18A. (1) Every Statute, Ordinance or Regulation made under this. Act shall be published in the Official Gazette.
- (2) Every Statute, Ordinance or Regulation made under this Act shall be laid, as soon as may be after it is made, before each House of Parliament, while it is in session, for a total period of thirty days which may be comprised in one session or in two or more successive sessions, and if, before the expiry of the session immediately following the session or the successive sessions aforesaid, both Houses agree in making any modification in the Statute, Ordinance or Regulation or both Houses agree that the Statute, Ordinance or Regulation should not be made, the Statute, Ordinance or Regulation shall thereafter have effect only in such modified form or be of no effect. as the case may be; so, however, that any such modification or annulment shall be without prejudice to the validity of anything previously done under that Statute, Ordinance or Regulation.".

Statutes, Ordinances and Regulations to be published in the Official Gazette and to be laid before Parliament.

11. In the Jawaharlal Nehru University Act, in section 19, after subsection (2), the following sub-section shall be inserted, namely:—

Amendment of section 19.

- "(3) A copy of the annual report, as prepared under sub-section (1), shall also be submitted to the Central Government, which shall, as soon as may be, cause the same to be laid before both Houses of Parliament.".
- 12. In the Jawaharlal Nehru University Act, in section 20, after subsection (2), the following sub-section shall be inserted, namely:—

Amendment of section 20.

"(3) A copy of the accounts, together with the audit report, shall also be submitted to the Central Government, which shall, as soon as may be, cause the same to be laid before both Houses of Parliament."

CHAPTER VII

AMENDMENT TO THE NORTH-EASTERN HILL UNIVERSITY ACT, 1973

24 of 1973.

13. In the North-Eastern Hill University Act, 1973 (hereafter referred to in this Chapter as the North-Eastern Hill University Act), in sub-section (2) of section 3, after the word "Nagaland", the words ", and the Union territory of Mizoram" shall be inserted.

Amendment of section 3.

14. In the North-Eastern Hi'l University Act, in sub-section (1) of section 6, for the word "Union territories of Arunachal Pradesh and", the words "Union territory of" shall be substituted.

Amendment of section 6.

15. In the North-Eastern Hill University Act, for section 9, the following section shall be substituted, namely:—

Substitution of new section for section 9.

"9. The Chief Rector of the University shall be appointed by the Visitor.".

Chief Rector.

16. In the North-Eastern Hill University Act, after section 27, the following section shall be inserted, namely:—

Insertion of new section 27A.

"27A. (1) Every Statute, Ordinance or Regulation made under this Act shall be published in the Official Gazette.

Statutes,
Ordinances
and
Regulations
to be
published
in the
Official
Gazette
and to
be laid
before
Parlia-

ment.

(2) Every Statute, Ordinance or Regulation made under this Act shall be laid, as soon as may be after it is made, before each House of Parliament, while it is in session, for a total period of thirty days which may be comprised in one session or in two or more successive sessions, and if, before the expiry of the session immediately following the session or the successive sessions aforesaid, both Houses agree in making any modification in the Statute, Ordinance or Regulation or both Houses agree that the Statute, Ordinance or Regulation should not be made, the Statute, Ordinance or Regulation shall thereafter have effect only in such modified form or be of no effect, as the case may be; so, however, that any such modification or annul-

ment shall be without prejudice to the validity of anything previously done under that Statute, Ordinance or Regulation.".

Amendment of section 28,

- 17. In the North-Eastern Hill University Act, in section 28, after subsection (2), the following sub-section shall be inserted, namely:—
 - "(3) A copy of the annual report, as prepared under sub-section (1), shall also be submitted to the Central Government, which shall, as soon as may be, cause the same to be laid before both Houses of Parliament.".

Amendment of section 29.

- 18. In the North-Eastern Hill University Act, in section 29, after subsection (3), the following sub-section shall be inserted, namely:—
 - "(4) A copy of the annual accounts, together with the report of the Comptroller and Auditor-General, shall also be submitted to the Central Government, which shall, as soon as may be, cause the same to be laid before both Houses of Parliament.".

CHAPTER VIII

AMENDMENTS TO THE UNIVERSITY OF HYDERABAD ACT, 1974

Insertion of new section 27A.

19. In the University of Hyderabad Act, 1974 (hereinafter referred to in this Chapter as the University of Hyderabad Act), after section 27, the following section shall be inserted, namely:—

39 of 1974.

- Statutes, Ordinances and Regulations to be published in the Official Gazette and to be laid before
- "27A. (1) Every Statute, Ordinance or Regulation made under this Act, shall be published in the Official Gazette.
- (2) Every Statute, Ordinance or Regulation made under this Act shall be laid, as soon as may be after it is made, before each House of Parliament, while it is in session, for a total period of thirty days which may be comprised in one session or in two or more successive sessions, and if, before the expiry of the session immediately following the session or the successive sessions aforesaid, both Houses agree in making any modification in the Statute, Ordinance or Regulation or both Houses agree that the Statute, Ordinance or Regulation should not be made, the Statute, Ordinance or Regulation shall thereafter have effect only in such modified form or be of no effect, as the case may be; so, however, that any such modification or annulment shall be without prejudice to the validity of anything previously done under that Statute, Ordinance or Regulation.".

Amendment of section 28.

Parlia-

ment.

- 20. In the University of Hyderabad Act, in section 28, after sub-section (2), the following sub-section shall be inserted, namely:—
 - "(3) A copy of the annual report, as prepared under sub-section (1), shall also be submitted to the Central Government, which shall, as soon as may be, cause the same to be laid before both Houses of Parliament.".

STATEMENT OF OBJECTS AND REASONS

Committees on Subordinate Legislation had recommended that suitable provision may be incorporated in all the Central Acts for publication in the Official Gazette and laying before Parliament of all rules, regulations, etc. framed under the powers delegated thereunder. The Bill seeks to implement the recommendations of the Committees in so far as the Acts relating to Central Universities are concerned.

- 2. The Public Accounts Committee as also the Lok Sabha Committee on Papers Laid have made recommendations for making statutory provisions in the Acts of Central Universities for laying their Annual Reports and Annual Accounts together with Audit Report before Parliament. The Bill also seeks to implement these recommendations.
- 3. While amending the Acts, the opportunity has also been taken to make provisions for the following:—
 - (i) To make a specific provision for establishment of a campus of the North-Eastern Hill University in the Union territory of Mizoram to satisfy the aspirations of the people of that territory.
 - (ii) To provide that the Chief Rector of the North-Eastern Hill University shall be appointed by the Visitor. This has become necessary as there are now two separate Governors for the States of Nagaland and Meghalaya instead of one Governor for both the States.
 - (iii) To exclude the Union territory of Arunachal Pradesh from the jurisdiction of the North-Eastern Hill University, as the Arunachal Pradesh Administration propose to establish a separate University of their own.

New Delhi; The 5th August, 1982.

SHEILA KAUL.

SUDARSHAN AGARWAL Secretary-General.